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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF TEXAS
10

11 **EXXON MOBIL CORPORATION,**

12 Plaintiff,

13 v.
14

15 **ROBERT ANDRES BONTA A.K.A. ROB**
16 **BONTA, IN HIS INDIVIDUAL**
CAPACITY, ET AL.,

17 Defendants.
18

1:25-cv-11-MJT

**REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF DEFENDANT
ATTORNEY GENERAL ROB BONTA'S
MOTION TO DISMISS**

Judge: Hon. Michael Truncale
Action Filed: January 6, 2025

19 **REQUEST FOR JUDICIAL NOTICE**

20 Defendant Attorney General Rob Bonta requests that the Court judicially notice one
21 pending state-court action and the contents of two publicly available websites. “[B]y taking
22 judicial notice of facts not subject to reasonable dispute, a Court does not convert a motion to
23 dismiss into a motion for summary judgment.” *Am. C.R. Union v. Martinez-Rivera*, 166 F. Supp.
24 3d 779, 791 (W.D. Tex. 2015) (citing *Norris v. Hearst Tr.*, 500 F.3d 454, 461 n. 9 (5th Cir.
25 2007)).

26 “A court may take judicial notice of public records, including pleadings filed in state court.”
27 *Bank of New York Mellon v. Riley*, 2020 WL 10229085, at *3 & n.5 (E.D. Tex. Feb. 12, 2020).
28 Here, the Court should judicially notice the People of the State of California’s lawsuit against

ExxonMobil, filed in San Francisco County Superior Court on September 23, 2024, which is attached to the accompanying Declaration of Robert William Setrakian as Exhibit A.

ExxonMobil cites this suit repeatedly in its complaint. Compl. at ¶ 76.

A court may judicially notice content on social-media sites as information “not subject to reasonable dispute because it . . . can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned. Fed. R. Evid. 201(b), (b)(2); *Boyd v. Canadian Indep. Sch. Dist.*, 2022 WL 837933, at *1 (N.D. Tex. Feb. 17, 2022), *report and recommendation adopted*, 2022 WL 837195 (N.D. Tex. Mar. 21, 2022). This includes profile information “indicat[ing] [someone’s] employment as described [in] argument.” *AGIS Software Dev. LLC v. Apple, Inc.*, 2018 WL 2721826, at *4 n.4 (E.D. Tex. June 6, 2018). Courts accordingly take judicial notice of social-media pages showing an individual’s employment. *Id.*; *Young v. Bank of Am., N.A.*, 2014 WL 4202491, at *3 (S.D. Tex. Aug. 19, 2014); *Travelhost Networks LLC v. Sentry Enters. Inc.*, 2015 WL 13742914, at *3 (N.D. Tex. Nov. 18, 2015).

Here, the Court should judicially notice the “Biography” section of Attorney General Bonta’s X and Instagram pages, which are attached to the accompanying Declaration of Robert William Setrakian as Exhibit B, to the extent that they identify Attorney General Bonta as California’s Attorney General. Attorney General Bonta does not seek notice for the truth of this assertion, just that these social media pages list his employment as California’s Attorney General. ExxonMobil cites posts from both of those pages. Compl., Exs. 2–5.

Dated: April 24, 2025

Respectfully submitted,

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/s/ Robert William Setrakian
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